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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,312	02/22/2007	Eli Bar	TYL006-243984	3787

83380 7590 11/19/2009
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EXAMINER

OROPEZA, FRANCES P

ART UNIT	PAPER NUMBER
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3766

NOTIFICATION DATE	DELIVERY MODE
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11/19/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipmail@eckertseamans.com

Office Action Summary	Application No. 10/575,312	Applicant(s) BAR ET AL.	
	Examiner FRANCES P. OROPEZA	Art Unit 3766	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/11/06 (Initial Filing).
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) See Continuation Sheet are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims:

Claims pending in the application are 1,2,5-9,14-16,21,22,24,26-29,32,35,37,38,41,42,44-47,50,51,60-62,65,66,69-73,77-84 and 87-89.

Continuation of Disposition of Claims:

Claims subject to restriction and/or election requirement are 1,2,5-9,14-16,21,22,24,26-29,32,35,37,38,41,42,44-47,50,51,60-62,65,66,69-73,77-84 and 87-89.

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following four groups of patentably distinct species of the claimed invention:

The first group is related to the mechanism or technique.

The second group is related to the means to enhance contraction.

The third group is related to the attachment mechanism.

The fourth group is related to the contraction mechanism.

First Group - Mechanism or Technique

Species I. – Figures 2, 3

Species II. – Figures 4, 5

Species III. – Figures 9A, 9B

Species IV. – Figures 20, 21

Species V. – Figure 22

Species VI. - Figure 23A, 23B

Species VII. – Figure 39A, 39B

Species VIII. – Figure 40

Species IX. – Figure 41

Species X. – Figures 42A, 42B

Species XI. – Figures 43A, 43B

Species XII. – Figures 44A, 44B

Species XIII. – Figures 45A, 45B

Species XIV. – Figures 47A, 47B

Second Group - Contraction Enhancement

Species I. – Figures 6, 7

Species I. – Figures 8A, 8B

Species I. – Figure 10

Species I. – Figure 11

Species I. – Figure 12

Species I. – Figure 13

Species I. – Figure 14

Species I. – Figure 15

Species I. – Figure 17

Third Group 2 - Attachment Mechanisms

Species I. – Figure 18

Species I. – Figure 19

Fourth Group - Contraction Mechanisms

Species I. – Figures 25A, 25B

Species I. – Figures 26A, 26B

Species I. – Figures 27A, 27B

Species I. – Figures 28A, 28B

Species I. – Figures 29A, 29B

Species I. – Figures 30A, 30B

Species I. – Figures 31A, 31B

Species I. – Figures 32A, 32B

Species I. – Figures 33A, 33B

Species I. – Figures 34A, 34B

Species I. – Figures 35A, 35B

Species I. – Figures 36A, 36B

Species I. – Figure 37A, 37B

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species from each of the four groups, a species of a mechanism or technique, a species for a means to enhance contraction, a species of an attachment means, and a species of a contraction mechanism, for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The elections between the four groups should be consistent with the instant specification and figures. Currently, no claims are deemed generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

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Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

The Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fran Oropeza whose telephone number is (571) 272-4953. Fran's schedule

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typically is Monday and Tuesday 9AM-7PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl. H. Layno can be reached on (571) 272-4949.

Carl's schedule typically is Monday, Wednesday, Friday 9AM-5 PM EST; Tuesday, Thursday 9AM-3PM and 9PM-11PM EST. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communication and for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Frances P. Oropeza/
Patent Examiner, Art Unit 3766
November 11, 2009

/Carl H. Layno/
Supervisory Patent Examiner, Art Unit 3766